

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:11-cv-153**

**EUNICE SIMMONS as Personal
Representative of the Estate of David L.
Simmons; and the State of North
Carolina Ex. Rel.,**

Plaintiffs,

vs.

**JOHN T. McDEVITT, Sheriff of Burke
County, et al,**

Defendants.

ORDER

On January 10, 2012, C. Frank Goldsmith, Jr., the mediator selected by the parties in the above entitled matter filed a report (#19) advising that all matters in dispute between the parties had been settled and compromised. As of the time of the filing of this order a dismissal has not been filed and over a month of time has passed from and after the filing of the report by Mr. Goldsmith. As a result, the undersigned will enter an order advising the parties that they have until March 26, 2012 to file the Stipulation of Dismissal reflecting the settlement in this matter.

ORDER

IT IS, THEREFORE, ORDERED that pursuant to the report of mediator (#19) the parties are ordered to file a Stipulation of Dismissal of this matter on or before **March 26, 2012.**

Signed: February 25, 2012

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

